

ORDINANCE NO. 573-22

AN ORDINANCE (DCA 2021-2320) OF THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA, AMENDING CHAPTER 10.44, OF THE MURRIETA MUNICIPAL CODE AND AUTHORIZING THE FILING OF THE ENVIRONMENTAL DETERMINATION

**WHEREAS**, the City of Murrieta (“City”) proposes an amendment to the City’s Municipal Code for the purpose of addressing the parking of vehicles parking in front-yard areas on incompatible surfaces, and, or creating a potential hazardous condition from dismantled vehicles in front yard areas; and

**WHEREAS**, the City has determined that there is a need to address front-yard parking and the current Municipal Code could be improved to provide parameters in regulating parking in residential front yards; and

**WHEREAS**, Ordinance 551-19 (DCA 2019-1898) amended Section 10.44.020, which removed Subsections D through H which previously regulated front-yard parking; and

**WHEREAS**, this proposed Ordinance will incorporate a modified version of Subsection D through G to bring the Code up to current standards; and

**NOW THEREFORE**, the City Council of the City of Murrieta, does ordain as follows:

**SECTION 1.** The above recitals are true and correct and are incorporated herein.

**SECTION 2.** Section 10.44.020 (Parking Prohibitions for Certain Vehicles) of the Municipal Code is hereby amended, as shown in Exhibit A, attached hereto and incorporated herein by this reference.

**SECTION 4.** The City Council finds the introduction and adoption of this Ordinance is not a project within the meaning of Section §15378 of the California Environmental Quality Act (CEQA) Guidelines because there is no potential for it to result in a physical change in the environment, either directly or indirectly. In the event this Ordinance is found to be subject to CEQA, it is exempt from CEQA pursuant to the exemption contained in CEQA Guidelines under Section §15061(b)(3) “Common Sense” exemption because it can be seen with certainty that there is no possibility of a significant effect on the environment and Statutory Exempt pursuant to Public Resources Code Section §21080.17 (adoption of an ordinance by a city to implement the provisions of Sections §65852.1 or §65852.2 of the Government Code).

**SECTION 5.** If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted this Ordinance, and each section, sentence, clause or phrase thereof, regardless of the fact that any one or more sections,

subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.


**SECTION 6.** This Ordinance shall take effect and be enforced thirty (30) days following its adoption by the City Council.

**SECTION 7.** The City Clerk shall certify to the adoption of this Ordinance and shall publish a summary of this Ordinance and post a certified copy of the full Ordinance in the Office of the City Clerk at least five (5) days prior to the adoption of the proposed Ordinance; and within fifteen (15) days after adoption of the Ordinance, the City Clerk shall publish a summary of the Ordinance with the names of the Councilmembers voting for and against the Ordinance.

**INTRODUCED** at a regular meeting of the City Council of the City of Murrieta, California, held on this 15th day of February, 2022; and

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Murrieta, California, held on the 5<sup>th</sup> day of April, 2022.

**APPROVED:**

  
\_\_\_\_\_  
Jonathan Ingram, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Cristal McDonald, CMC, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Leslie E. Devaney, City Attorney

**ATTACHMENTS:**


Exhibit A      Draft Ord. – Chapter 10.44 Amend. – Parking Restrictions for Commercial, Recreational, and Certain Other Vehicles – **Strikeout/Underline**

Exhibit A      Draft Ord. – Chapter 10.44 Amend. – Parking Restrictions for Commercial,  
Recreational, and Certain Other Vehicles – **Clean**

I, Cristal McDonald, City Clerk of the City of Murrieta, California, do hereby certify under penalty of perjury that the foregoing Ordinance was duly and regularly introduced at a meeting of the City Council on the 15th day of February, 2022 and that thereafter the said Ordinance was duly and regularly adopted at a meeting of the City Council on the 5th day of April, 2022, by the following vote, to wit:

AYES:            White, Stone, Warren, DeForest, Ingram  
NOES:            None  
ABSENT:        None  
ABSTAIN:       None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Murrieta, California, this 5th day of April, 2022.

  
\_\_\_\_\_  
Cristal McDonald, CMC, City Clerk

(Seal)

**Exhibit "A"**

**STRIKEOUT/UNDERLINE VERSION**

**Municipal Code Regulations**

...

**10.44            Parking Restrictions for Commercial, Recreational, and Certain Other Vehicles**

...

**Chapter 10.44 of the Murrieta Municipal Code is hereby amended as follows:**

**10.44.020 Parking prohibitions for certain vehicles.**

It is unlawful for any person to park or leave standing on any private or public property within residential or commercial zoning districts of the city, the following types of vehicles: any commercial vehicle, oversized vehicle, recreational vehicle, vessel, or non-self-propelled vehicle, as defined in Chapter [10.08](#) and [10.32](#) of this code, and similar such vehicles, unless as specifically allowed and described herein:

A. It is unlawful to park, keep, or store any oversized vehicle, recreational vehicle, non-self-propelled vehicle, vessel, or similar such vehicles, within any portion of the front yard setback, as defined by this code. Except that, if such vehicles are kept, parked, and stored permanently on private property, other than the front yard setback, they shall be screened from view to the required fence height allowed by this code. Wrought iron fencing, landscape material, and lattice shall be considered as acceptable screening materials. Recreational vehicles shall be allowed for a total of forty-eight (48) hours before and after a recreational trip only, and not in combination with any other public right-of-way parking exemption. This provision shall not apply to commercial vehicles weighing ten thousand (10,000) pounds or less, and/or having a width of ninety-two (92) inches or less, and/or having a length of twenty-one (21) feet or less, and/or having a height of eight (8) feet or less, if such vehicle is parked on an approved surface in the front yard setback and is limited to two such vehicles per residence.

B. It is unlawful to park, keep, store or leave standing, any trailer or semitrailer having a gross vehicle weight of ten thousand (10,000) pounds or more on public or private property within a residential zoning district of the city; unless, specifically in the performance of duties related to the picking up or delivering of merchandise, goods, wares; or, providing service to such building or structure for which an actual and bona fide repair, alteration, remodel, or construction has been allowed by a building permit.

C. It is unlawful to park or leave standing any truck, tractor, trailer or semitrailer as defined in the California Vehicle Code, or other commercial vehicle having a manufacturer's gross weight bearing of ten thousand (10,000) pounds or more, as defined in the California Vehicle Code, on private or public property within a residential

zoning district; unless, specifically in the performance of duties related to the picking up or delivering of merchandise, goods, wares; or, providing service to such building or structure for which an actual and bona fide repair, alteration, remodel or construction has been allowed by a building permit, as defined in Section 35703 CVC.

D. It is unlawful to park, keep, store, or leave standing (i.e., park), any passenger vehicle or vehicles as described in Chapter 10.08, on private or public property within the City as described in Chapter 10.32. Parking of vehicles, and in the manner described in Chapter 10.32, shall occur on pre-engineered load-bearing surfaces. Parking on unimproved or non-paved lots is prohibited. This last provision shall not be applicable at Rural Residential (RR) and Estate Residential (ER-1) and (ER-2) zoned parcels.

E. It is unlawful to park, keep, store or leave standing on any public or private property within residentially zoned districts, any vehicle which contains any hazardous material as defined in Section 353 of the California Vehicle Code. Vehicles which emit noxious, objectionable odors, or are left in a condition which harbors vermin, or provides for the conditions for pestilence to occur shall also be prohibited in residential districts. Vehicles used to transport animals shall comply with Subsection A of this Chapter.

F. It is unlawful to park or leave standing any vehicle on a residential lot, or on any portion of the front yard setback such that the vehicle(s) obstructs the vision of an adjoining property occupant in obtaining access to or from a public right-of-way. Upon determination that the obstruction creates a potential safety hazard, such vehicles may be required to be relocated or removed from the neighboring site.

G. It is unlawful to park, store, or leave standing an inoperative, abandoned, wrecked, or dismantled vehicle, or any part thereof, on any portion of a front yard setback; except during the first seventy-two (72) hours during which a vehicle is mechanically disabled. Car covers shall not be an exception to an inoperative vehicle. It is unlawful to park, or store a vehicle in an elevated position, on blocks, stands, jacks or any other lifting device, in any portion of the front yard setback, or in a location visible from any public right-of-way or street, except as allowed by Section 8.20.030(P)(5)(d) of this Code.

**Exhibit "A"**

**CLEAN VERSION**

**Municipal Code Regulations**

...

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C. It is unlawful to park or leave standing any truck, tractor, trailer or semitrailer as defined in the California Vehicle Code, or other commercial vehicle having a manufacturer's gross weight bearing of ten thousand (10,000) pounds or more, as defined in the California Vehicle Code, on private or public property within a residential

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